



#9

PATENT  
ROSE 3.0-036 CIP IV

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of  
Hiatt et al.

Serial No. 08/486,536

Filed: June 7, 1995

For: 3' PROTECTED NUCLEOTIDES FOR ENZYME  
CATALYZED TEMPLATE-INDEPENDENT  
CREATION OF PHOSPHODIESTER BONDSGroup Art Unit: 1211  
Examiner: James O. Wilson

X

Assistant Commissioner For Patents  
Washington, D.C. 20231REVOCATION AND  
SUBSTITUTION OF ATTORNEYS

Sir:

In the matter of the above-identified application, all powers of attorney heretofore given are revoked, and Lawrence I. Lerner, Reg. No. 19,516; Sidney David, Reg. No. 22,768; Joseph S. Littenberg, Reg. No. 20,832; Arnold H. Krumholz, Reg. No. 25,428; William L. Mentlik, Reg. No. 27,108; John R. Nelson, Reg. No. 26,573; Stephen B. Goldman, Reg. No. 28,512; Roy H. Wepner, Reg. No. 28,350; Charles P. Kennedy; Paul H. Kochanski, Reg. No. 29,660; Marcus J. Millet, Reg. No. 28,241; Bruce H. Sales, Reg. No. 32,793; Daniel H. Bobis, Reg. No. 16,694; Keith E. Gilman, Reg. No. 32,137; Peter J. Butch, III, Reg. No. 32,203; Robert B. Cohen, Reg. No. 32,768; Arnold B. Dompieri, Reg. No. 29,736; Michael H. Teschner, Reg. No. 32,862; W. Drew Kastner, Jeffrey S. Dickey, Reg. No. 35,858; Gregory S. Gewirtz, Reg.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on March 31, 1997

(Date of Deposit)

Signature: Peter J. ButchPETER J. BUTCH III

(Typed or Printed Name of Person Signing Certificate)

No. 36,522; Jonathan A. David, Reg. No. 36,494; Shawn P. Foley, Reg. No. 33,071; Robert T. Canavan, Reg. No. 37,592; and Thomas M. Palisi, Reg. No. 36,629, all of Lerner, David, Littenberg, Krumholz & Mentlik, 600 South Avenue West, Westfield, New Jersey, 07090, (908) 654-5000, are appointed as my/our attorneys with full power of substitution and revocation and association, to prosecute said application and to transact all business in the United States Patent and Trademark Office connected therewith.

All future correspondence should be forwarded to Lerner, David, Littenberg, Krumholz & Mentlik, 600 South Avenue West, Westfield, New Jersey 07090.

ROSE-HIATT BIOTECHNOLOGY PARTNERSHIP

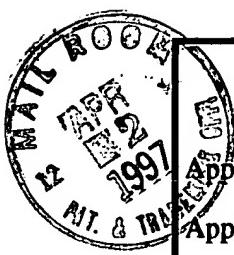
Dated: 8-28-97

By: Floyd D. Rose

Floyd D. Rose  
(Typed or printed name)

President of Floyd Rose Bioscience, Inc., a general  
partner of Rose-Hiatt Biotechnology Partnership  
(Title)

**CERTIFICATE UNDER 37 CFR 3.73(b)**



Applicant: Hiatt et al.

Application No.: 08/486,536 Filed: June 7, 1995

Entitled: 3' PROTECTED NUCLEOTIDES FOR ENZYME CATALYZED TEMPLATE-INDEPENDENT  
CREATION OF PHOSPHODIESTER BONDS

Rose-Hiatt Biotechnology Partnership, a partnership  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

- A.  An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 7574, Frame 0644, or for which a copy thereof is attached.

OR

- B.  A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

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Additional documents in the chain of title are listed on a supplemental sheet.

- Copies of assignments or other documents in the chain of title are attached.

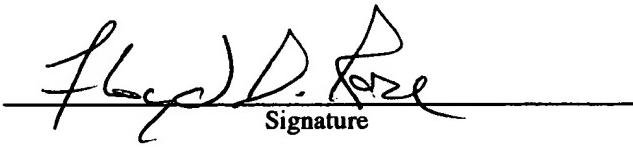
The undersigned has reviewed all the documents in the chain of title of the present application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

3-28-97

Date

  
\_\_\_\_\_  
Signature

Floyd D. Rose

Typed or printed name

President of Floyd Rose Bioscience, Inc.,  
a general partner of Rose-Hiatt Biotechnology Partnership  
Title



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

DECEMBER 14, 1995

PTAS

JEFFREY W. GUISE  
LYON & LYONE  
633 WEST FIFTH STREET, SUITE 4700  
LOS ANGELES, CA 90071



\*100047723A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 06/07/1995

REEL/FRAME: 7574/0644  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

HIATT, ANDREW C.

DOC DATE: 06/06/1995

ASSIGNOR:

ROSE, FLOYD

DOC DATE: 06/06/1995

ASSIGNEE:

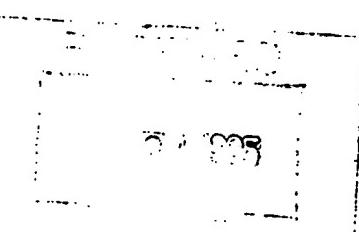
ROSE HIATT BIOTECHNOLOGY PARTNERSHIP  
8445 CAMINO SANTA FE, SUITE 102  
SAN DIEGO, CALIFORNIA 92121

SERIAL NUMBER: 08486536

FILING DATE: 06/07/1995  
ISSUE DATE:

PATENT NUMBER:

KEITH GOODE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



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al documents or copy thereof.

To the Honorable Commissioner of Patents and Tr.

100047723

## 1. Name of conveying party(ies):

Andrew C. Hiatt and Floyd Rose

Additional name(s) of conveying party(ies) attached?  Yes  No

## 3. Nature of conveyance:

- |                                                |                                         |
|------------------------------------------------|-----------------------------------------|
| <input checked="" type="checkbox"/> Assignment | <input type="checkbox"/> Merger         |
| <input type="checkbox"/> Security Agreement    | <input type="checkbox"/> Change of Name |
| <input type="checkbox"/> Other _____           |                                         |

Execution Date: June 6, 1995

## 2. Name and address of receiving party(ies):

Name: Rose Hiatt Biotechnology Partnership

Internal Address: 8445 Camino Santa Fe

Suite 102

San Diego, CA 92121

08/21/95

Street Address: 8445 Camino Santa Fe

Suite 102

City: San Diego State: CA ZIP: 92121

Additional name(s) & address(es) attached?  Yes  No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: June 6, 1995

## A. Patent Application No.(s)

## B. Patent No.(s)

Additional numbers attached?  Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

6. Total number of applications and patents involved: 1

Name: Jeffrey W. Guise

Internal Address: LYON &amp; LYON

633 West Fifth Street, Suite 4700

Los Angeles, CA 90071

Street Address: 633 West Fifth Street

Suite 4700

City: Los Angeles State: CA ZIP: 90071

7. Total fee (37 CFR 3.41).....\$ 40.00

 Enclosed Authorized to be charged to deposit account

## 8. Deposit account number:

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(Attach duplicate copy of this page if paying by deposit account)

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## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

570 MM 07/13/95 08486536  
1381 443

Jeffrey W. Guise

Name of Person Signing

Signature

June 6, 1995

Date

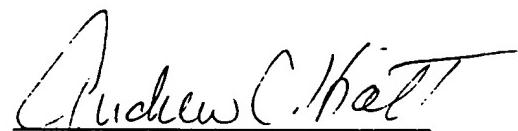
3

Total number of pages including cover sheet, attachments, and document:

ASSIGNMENT

For valuable consideration, we, Andrew C. Hiatt of San Diego, California; and Floyd Rose of Del Mar, California, hereby assign to Rose Hiatt Biotechnology Partnership, a Partnership having a place of business at 8445 Camino Santa Fe, Suite 102, San Diego, California 92121, and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the inventions and improvements which are the subject of an application for United States Patent signed by us this day, entitled 3' Protected Nucleotides For Enzyme Catalyzed Template-Independent Creation of Phosphodiester Bonds, this assignment including said application, any and all United States and foreign patents granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and we authorize the Assignee to apply in all countries in our name or in its own name for patents and like rights of exclusion and for inventors' certificates for said inventions and improvements; and we agree for ourselves and our respective heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this Assignment.

IN WITNESS WHEREOF, I hereto set my hand and seal at SAN DIEGO, California this 6th day of June 6, 1995.

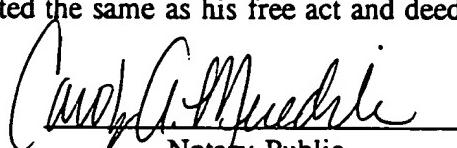
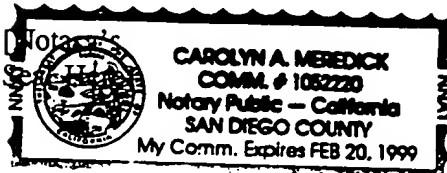


ANDREW C. HIATT

State of California :  
ss.

County of San Diego :

Before me this day of June 6, 1995, personally appeared Andrew C. Hiatt known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

  
Notary Public

My commission expires:  
FEB 20, 1999

IN WITNESS WHEREOF, I hereto set my hand and seal at SAN DIEGO, California  
this 6th day of June, 1995.

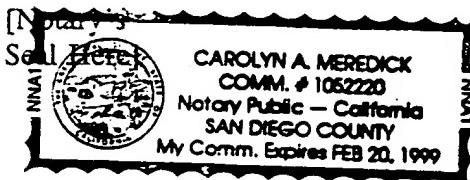
Floyd Rose  
FLOYD ROSE

State of California :

ss.

County of San Diego

Before me this 6th day of June, 1995, personally appeared  
Floyd Rose known to me to be the person whose name is subscribed to the  
foregoing Assignment and acknowledged that he executed the same as his free act and deed  
for the purposes therein contained.



**My commission expires:**

FEB. 29, 1979